

# Exhibit E

for:

PETITION UNDER 37 C.F.R. § 1.181

in

Application Serial No. 09/625,442

CONFIGURABLE ELECTRONIC REDEEMABLE COUPON

Inventor: Patrick Hung

Filed: July 26, 2000

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail addressed to:

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On Feb 24, 2004

By Scott Hewett  
Scott Hewett

PATENT  
Attorney Docket No. CP0001US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor: Hung, P.

Application No.: 09/625,442

Filed: 07/26/2000

For: CONFIGURABLE ELECTRONIC  
REDEEMABLE COUPON

Examiner: Carlson, J. D.

Art Unit: 3622

AMENDMENT FILED WITH REQUEST  
FOR CONTINUED EXAMINATION  
UNDER 37 C.F.R. § 1.114

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Before examining this case subsequent to the Request for Continued Examination ("RCE") submitted herewith, please enter the Amendment After Final Rejection Under 37 C.F.R. § 1.116 filed January 20, 2004, as well as the following amendments. The Amendment After Final Rejection Under 37 C.F.R. § 1.116 filed January 20, 2004 was not entered because the Examiner indicated that the proposed amendments raise new issues that would require further consideration and/or search in the Advisory Action mailed 01/27/2004.

This patent application was originally filed with four independent claims, two of which (claims 14 and 21) were cancelled during prosecution. Claim 8 was rewritten in independent form during prosecution. New independent claims 22 and 23 are added herewith. The undersigned believes that one additional independent claim fee under 37 C.F.R. § 1.167(b) is required, and hereby authorizes the Commissioner to deduct the necessary excess claims fee(s) from USPTO Deposit Account No. 50-0891.

The undersigned requests a three-month extension of the period for response under 37 C.F.R. § 1.136(a). The small-entity fee of \$210.00 for a two-month extension with paid with the Amendment After Final Rejection Under 37 C.F.R. § 1.116 filed January 20, 2004. The

COPY

undersigned believes the remaining small-entity fee for a three-month extension is \$265.00. The Commissioner is hereby authorized to deduct the necessary extension fee(s) from, or credit any overpayment to, USPTO Deposit Account 50-0891.

COPY

Amendments to the claims

1. (previously amended) A configurable portable electronic communication device comprising:

a receiver configured to receive an electronic wireless transmission containing coupon information;

a processor electronically coupled to the receiver;

an electronic display coupled to the processor;

a memory containing a computer-readable program, the processor reading the computer-readable program to generate a scannable coupon from the coupon information on the electronic display; and

means for improving the first scan rate of the scannable coupon from the electronic display of the configurable portable electronic communication device.

2. (previously amended) The configurable portable electronic communication device of claim 1 wherein the electronic display has a nominal minimum dimension of less than about 13 mils and an inter-pixel spacing of less than about 1.3 mils.

3. (previously amended) The configurable portable electronic communication device of claim 1 wherein the means for improving the first scan rate comprises a contrast-enhancing coating disposed on the electronic display.

4. (previously amended) The configurable portable electronic communication device of claim 3 wherein the contrast-enhancing coating comprises an anti-reflective coating.

5. (previously amended) The configurable portable electronic communication device of claim 1 wherein the memory further contains a data file storing coupon information.

6. (previously amended) The configurable portable electronic communication device of claim 5 wherein the data file includes a plurality of subfiles, at least one of the plurality of subfiles containing a plurality of coupon data fields, each of the coupon data fields in the subfile being related according to redemption.

COPY

7. (previously amended) The configurable portable electronic communication device of claim 5 wherein the coupon information is encrypted and the computer-readable program contains instructions executable by the processor to decrypt the coupon information.

8. (previously amended) A configurable portable electronic communication device comprising:

- a receiver configured to receive an electronic wireless transmission containing coupon information;

- a processor electronically coupled to the receiver;

- an electronic display coupled to the processor;

- a memory containing a computer-readable program for generating a scannable coupon on the electronic display of the configurable portable electronic communication device from the coupon information and including instructions for converting the scannable coupon from a first scannable barcode format to a second scannable barcode format.

9. (previously amended) The configurable portable electronic communication device of claim 1 wherein the electronic display is a dot-matrix liquid crystal display and the means for improving the first scan rate comprises having a strobe rate of the dot-matrix liquid crystal display sufficiently high to maintain sufficient contrast for electronic scanning of the scannable coupon shown on the dot-matrix liquid crystal display.

10. (canceled)

11. (previously amended) The configurable portable electronic communication device of claim 1 wherein the means for improving the first scan rate comprises a liquid crystal display having sufficient persistence to maintain sufficient contrast for electronic scanning of the scannable coupon shown on the liquid crystal display.

12. (previously amended) The configurable portable electronic communication device of claim 1 wherein the electronic display is a dot-matrix liquid crystal display having pixels capable of maintaining a contrast ratio of at least 1:4 between a light portion of a bar code and a dark

portion of a bar code displayed on the electronic display between a first strobe signal and a second strobe signal to the pixels.

13. (previously amended) A configurable portable electronic communication device comprising:

- a receiver configured to receive a wireless transmission containing coupon information;
- a processor electronically coupled to the receiver;

- a persistent dot-matrix liquid crystal display having a minimum nominal dimension of less than or equal to about 13 mils and an inter-pixel spacing of less than or equal to about 1.3 mils coupled to the processor;

- a memory containing a computer-readable program, the processor reading the computer-readable program to generate a scannable coupon code from the coupon information on the electronic display.

14. (canceled)

15. (canceled)

16. (previously amended) A method for providing a redeemable coupon, the method comprising:

- encrypting coupon information to produce encrypted coupon information;
- receiving the encrypted coupon information over a wireless electronic link with a portable electronic communication device;

- decrypting the encrypted coupon information in the portable electronic device to produce coupon information;

- processing the coupon information in the portable electronic device; and
- generating a barcode on a display of the portable electronic device from the coupon information.

17. (previously amended) The method of claim 16 wherein the coupon information includes user information.

COPY

18. (previously amended) The method of claim 16 further comprising, between the receiving step and the generating step, steps of:

    saving the coupon information in local memory; and  
    recalling the coupon information from local memory.

19. (previously amended) The method of claim 18 further comprising steps, after the generating step, of:

    entering a command step;  
    recalling second coupon information from local memory; and  
    generating a second scannable coupon on the display of the portable electronic device.

20. (previously amended) The method of claim 16 further comprising, after the step of receiving the coupon information, of

    recalling user information from a memory of the portable handheld device,  
wherein the generating step includes combining the user information with the coupon information to generate the scannable coupon with user information.

21. (canceled)

22. (new) A wireless telephone comprising:

    a receiver configured to receive an electronic wireless transmission containing coupon information;

    a processor electronically coupled to the receiver;

    an electronic display coupled to the processor; and

    a memory containing a computer-readable program, the processor reading the computer-readable program to generate a scannable coupon from the coupon information on the electronic display of the wireless telephone.

23. (new) A personal digital assistant comprising:

COPY

a receiver configured to receive an electronic wireless transmission containing coupon information;

a processor electronically coupled to the receiver;

an electronic display coupled to the processor; and

a memory containing a computer-readable program, the processor reading the computer-readable program to generate a scannable coupon from the coupon information on the electronic display of the personal digital assistant.

COPY



#### REMARKS

Claims 1-9, 11-13 and 16-20 stand rejected. Claims 22 and 23 are added. Support for these new claims is found on page 3, lines 25 and 26; and page 4, line 14. These new claims do not add new matter. After entry of this amendment, claims 1-9, 11-13, and 16-23 will be pending.

The Applicant respectfully submits that claim 22 defines at least the following advantageous distinctive features that distinguish over and avoid the prior art:

“A wireless telephone comprising . . . [a] computer-readable program to generate a scannable coupon . . . on the electronic display of the wireless telephone”

The Applicant respectfully submits that claim 23 defines at least the following advantageous distinctive features that distinguish over and avoid the prior art:

“A personal digital assistant comprising . . . [a] computer-readable program to generate a scannable coupon . . . on the electronic display of the personal digital assistant.”

All words in a claim must be considered in judging the patentability of claims 22 and 23 against the prior art when determining patentability. *In re Miller*, 169 USPQ 597 (CCPA 1971). Claim 22 sets forth the wireless telephone in the body of the claim; therefore, the wireless telephone is a limitation that must be considered. Similarly, claim 23 sets forth the personal digital assistant in the body of the claim; therefore, the personal digital assistant is a limitation that must be considered. *Gerber Garment Tech., Inc. v. Lectra Sys., Inc.* 916 F.2d 683, 688-89 (Fed. Cir. 1990); *Heidelberg Harris, Inc. v. Mitsubishi Heavy Indus., Ltd.*, Civ. App. No. 1100 (Fed. Cir. Sept. 18, 2000)(unpublished).

#### CONCLUSION

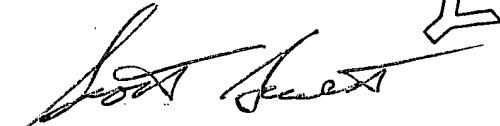
In view of the foregoing, the Applicant believes all claims pending in this Application are in condition for allowance, and that the Applicant is entitled to the claims in accordance with Title 35 of the United States Code, and Art.1, §8, cl.8 of the Constitution of the United States.

COPY

The Applicant respectfully requests reconsideration of all pending claims, the withdrawal of all rejections, and the issuance of a formal Notice of Allowance at an early date.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawings, then it is respectfully asked that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner believes this amendment does not put all pending claims in condition for allowance, the undersigned invites the Examiner to telephone the undersigned at (707) 591-0789.

Respectfully Submitted

A handwritten signature in black ink, appearing to read "Scott W. Hewett", written over a horizontal line.

Scott W. Hewett  
Reg. No. 41, 836

Scott Hewett  
Patent Attorney  
400 West Third Street, No. 223  
Santa Rosa, CA 95401  
Tel.: (707) 591-0789  
Fax.: (707) 591-0392